

REMARKS

Claims 1-35 are pending in the application. Claims 1-35 stand rejected. Claims 2 and 19 are hereby amended to address formalities.

Claims 1-6, 9-23, and 26-35 stand rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,091,953 (Ho) in view of U.S. Patent No. 5,870,459 (Phillips). Applicant respectfully traverses the rejection in light of the following discussion.

Independent claim 1 recites, in part, a service control point (SCP) configured to assign a temporary wireless telephone number to a wireless call device. Phillips does not disclose an SCP as required by claim 1. Rather, Phillips discloses a mobile switching center that assigns a directory number to a telephone (Phillips, col. 15, lines 23-30). Phillips does not disclose an SCP that assigns a temporary wireless telephone number to a wireless call device as required by claim 1.

Further, Claim 1 recites, in part, an SCP configured to *determine if the wireless call device is subscribed to a temporary wireless number service, and responsive to determining that the wireless call device is subscribed to the temporary wireless number service, assign a temporary wireless telephone number to the wireless call device.* The Examiner asserts that the telephone in Phillips registering with the serving cellular network is analogous to a subscription to a temporary wireless number service as required by claim 1 (OA, p. 2-3, item 3). Applicant respectfully disagrees with the Examiner's assertion and traverses the rejection.

Upon receipt of a registration message, the SCP in claim 1 performs a validation process to determine whether or not a wireless call device is subscribed to a temporary wireless number service (Current Application, p. 9, lines 20-29). A wireless call device is subscribed to a temporary wireless telephone number service if the user of the wireless call device has registered with a service provider for the temporary wireless telephone number service (Current Application, p. 9, line 9-10). In contrast, Phillips discloses a telephone that receives a directory number during activation upon acquisition (sale, lease, or give-away) (Phillips, col. 13, lines 15-19 and 65-67). Phillips does not check for a subscription, and, in fact, has no need to check for a subscription because each telephone is inherently subscribed at acquisition.

In response to the expiration of a predetermined period of time or in response to a predetermined period of time of non-use, the directory number in Phillips that was assigned upon acquisition is returned to the pool of directory numbers and made available for subsequent

assignment to another telephone (Phillips, col. 14, lines 12-36 and Figures 7B and 7C). Once the assigned directory number is returned to the pool, the telephone may only be used to make calls; it cannot get a new directory number unless it is returned for refurbishment (Phillips, col. 14, lines 30-32).

The Examiner mischaracterizes the “registration” in Phillips as equivalent to the “subscription” recited in claim 1 (OA, p. 3). In fact, the “registration” in Phillips is merely the continued use of the telephone by the user within a predetermined period of time (Phillips, col. 14, lines 23-27). The telephone in Phillips is inherently subscribed upon acquisition, so there is no need to check for a subscription as required by claim 1. Phillips does not disclose checking for a subscription to a temporary wireless number service through a service provider. Thus, the “registration” in Phillips does not have the same meaning as “subscribed” in claim 1.

Moreover, claim 1 recites, in part, assigning a temporary wireless telephone number to a wireless call device *responsive to* determining that the wireless call device is subscribed to the temporary wireless number service. In contrast, Phillips teaches that a telephone *that already has an assigned directory number* will lose that number if it is not used within a predetermined period of time after its last use (Phillips, col. 14, lines 21-30). Thus, claim 1 assigns a temporary wireless telephone number responsive to determining that the wireless call device is subscribed to the temporary wireless number service, while Phillips takes away an already assigned directory number if the telephone is not used in the serving cellular network.

Claim 1 also recites, in part, a communication system for providing temporary wireless telephone numbers. The Examiner mischaracterizes the assignment of a Temporary Mobile Subscriber Identity (TMSI) to a mobile unit in Ho as providing a temporary wireless telephone number (OA, p. 2, item 3). The TMSI in Ho is not a temporary wireless telephone number as required by claim 1. Rather, the TMSI in Ho is a temporary identification number (Ho, col. 6, lines 27-30). The TMSI is a randomly allocated number that is assigned to a mobile unit to identify the mobile unit while it is within a specific geographic location. The TMSI of the mobile unit can be changed by the network at anytime and is updated each time the mobile unit enters a new geographic area. In contrast, the temporary wireless telephone number recited by claim 1 is a “wireless telephone number... used to provide the temporary wireless service to wireless call devices” (Current Application, p. 4, lines 5-7).

Ho and Phillips, separately and in combination, fail to disclose, teach, or suggest all the

elements of claim 1. Claim 1 is therefore allowable over Ho in view of Phillips.

The remaining independent claims contain limitations similar to those of claim 1 and are therefore allowable over the art of record. Applicant refrains from a discussion of the dependent claims for the sake of brevity and in view of their dependence from otherwise allowable independent claims.

Claims 7, 8, 24, and 25 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Ho and Phillips in view of EP 0986237 (Alho). A discussion of this rejection is obviated in view of the discussion above distinguishing Ho in view of Phillips.

CONCLUSION

The claims in their present form are allowable over the art of record. Applicant therefore respectfully requests allowance of the claims.

Included herewith is payment for the appropriate fee under 37 C.F.R. § 1.17(a)(1) for a one-month extension of time (37 C.F.R. § 1.136(a)). Applicant believes no additional fees are due with respect to this filing. However, should the Office determine additional fees are necessary, the Office is hereby authorized to charge Deposit Account No. 21-0765.

Respectfully submitted,

/Stephen S. Roche/

SIGNATURE OF PRACTITIONER

Stephen S. Roche, Reg. No. 52,176

Setter Roche LLP

Telephone: (720) 562-2280

Correspondence address:

CUSTOMER NO. 28004

Attn: Melissa A. Jobe
Sprint Law Department
6450 Sprint Parkway
Mailstop: KSOPHN0312-3A461
Overland Park, KS 66251